

**ADMINISTRATIVE RULES SUMMARY**  
**WAIT FOR LBA FIS**

TO: Medical Care Advisory Committee  
FROM: Division for Children, Youth and Families  
DATE: October 26, 2016  
RE: He-C 6344 "Certification Payment Standards for Community Based Behavioral Health Service Providers"

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**1. Status:** Draft rule and summary emailed to MCAC on **October 26, 2016**. Rule to be presented at the **November 14, 2016** meeting by Thomas O'Connor, and James Panzer, DCYF, and DHHS Rules Unit.

**2. Target Dates:**

- Rule to MCAC via email: **October 26, 2016**.
- Rule presented to MCAC: **November 14, 2016**.

Subcommittee Empanelled **TBD**

Subcommittee input deadline:

Revised rule to MCAC:

Revised rule presented to MCAC:

MCAC letter deadline:

Department enters rulemaking:

JLCAR:

No Subcommittee Empanelled

MCAC letter deadline: **12/14/16**.

Department enters rulemaking: **11/3/16 to prevent expiration**.

Department Public Hearing **12/15/16**

Department Public Comment Period: **12/8/16**

Final Proposal Due to JLCAR: **1/6/17**

JLCAR: **1/20/17**

**3. Rule Summary:**

- Reason for rulemaking (e.g., expiration, statutory change, policy change).

**The rule expires on November 5, 2016.**

- General overview of the rule.
- **He-C 6344 identifies qualifications and performance requirements for providers of community based behavioral health services for the division for children, youth and families (DCYF). The proposed rule describes the behavioral health services related to improving child and family functioning regarding situations involving abuse, neglect, delinquency, and Children in Need of Services (CHINS). The rule applies to community based behavioral health service providers for DCYF who receive financial reimbursement from the department of health and human services (DHHS) for services provided to children and families and which are reimbursable under the New Hampshire Medicaid program.**
- Description of the specific changes being proposed to the rule include.

**Summary of what the rule says and of any proposed amendments:**

**The Department of Health and Human Services (Department) proposes to readopt with amendment He-C 6344, "Certification Payment Standards for Community-Based Behavioral Health Service Providers." He-C 6344 is scheduled to expire November 5, 2016 but is subject to extension pursuant to RSA 541-A:14-a, I.**

**The proposed He-C 6344 states the qualifications and performance requirements to become a Division for Children, Youth and Families (DCYF) certified provider for community-based behavioral health services and describes the behavioral health services related to improving child and family functioning regarding situations involving abuse, neglect, delinquency, and Children in Need of Services (CHINS). Changes to the rule made in this proposal include:**

- **Updates to remove all references to the "Division for Juvenile Justice Services" and the acronym "DJJS" to reflect the reorganization within the Department which now includes DJJS in the services offered by DCYF. The proposal also updates the rule to incorporate forms by reference. The proposal also adds "Managed Care Organizations (MCO)" and a requirement that providers participate with at least one MCO;**
- **Additional definitions in order to better reflect the types of services and children and families receiving services under the rule: "educationally identified child", "group outpatient counseling", "individual**

outpatient counseling”, “licensed alcohol and drug counselor”, “managed care organization”, “master licensed alcohol and drug counselor”, and “trauma informed service system”;

- Updates of forms and incorporation by reference of forms; and
- Removing sections and references to medical school programs which are no longer operational.
- Description of who is affected generally by the rule; and who is impacted by the specific changes (e.g., Medicaid beneficiaries and/or providers).

**This rule impacts all children and families receiving Medicaid covered behavioral health services in a community based setting, and the providers of those services.**

- Description of any specific eligibility changes.

**No changes to eligibility.**

- Description of any fiscal impact to recipients, providers, or the State of New Hampshire.

**No fiscal impact.**

**4. Issues of Concern:** The rule is scheduled to expire 11/5/16, which requires rulemaking and review by the MCAC to overlap.

**5. Department Contacts:**

- Thomas O’Connor, MSW Program Specialist, DCYF, Thom.O’Connor@dhhs.nh.gov
- James Panzer, DCYF, James.Panzer@dhhs.nh.gov
- Catherine Bernhard, Rules Coordinator, Administrative Rules Unit, 271-9374, catherine.l.bernhard@dhhs.nh.gov

**Please send all comments (including specific language changes) to:** [james.panzer@dhhs.nh.gov](mailto:james.panzer@dhhs.nh.gov); or catherine.bernhard@dhhs.nh.gov.